

LISTING OF CLAIMS

This **listing of claims** will replace all prior versions, and listings, of claims in the application:

1. **(Cancelled)**

2. **(Cancelled)**

3. **(Currently Amended)** A toolbox container comprising:

a base having a bottom wall and side walls defining an interior storage compartment, at least one of the side walls having a locking element;

a single cover pivotally mounted to one of said side walls for pivotal movement as a whole between an open position in which access to the interior storage compartment is permitted and a closed position in which said single cover covers the interior storage compartment such that access to the interior storage compartment is prevented; and

a handle including a handle portion and a cover locking mechanism, the handle being movably mounted to the cover so that the handle is movable to move the cover locking mechanism thereof into interlocking engagement with the locking element to lock the cover in the closed position,

wherein the handle is pivotally mounted to the cover for movement between (1) a first locked position in which the handle portion is in a upright position for carrying by a user, and the cover locking mechanism interlocks with the locking element to lock the cover in the closed position, (2) an intermediate unlocked position in which the handle portion is in a position that permits opening and closing of the cover, and the cover locking mechanism is disengaged from the locking element on the base to allow movement of the cover between the open and closed positions thereof, and (3) a second locked position in which the handle portion is in a downward inclined position for

storage purposes, and the cover locking mechanism interlocks with the locking element to lock the cover in the closed position.

4. **(Currently Amended)** The toolbox container according to claim 3, wherein the cover locking mechanism includes first and second locking arms that define respective first and second recesses, the locking element being received within one of the first and second recesses when the handle is in the first locked position and the locking element being received within the other of the first and second recesses when the handle is in the second locked position, and wherein the locking element being positioned between the first and second locking arms disengaged from the first and second recesses when the handle is in the intermediate unlocked position.

5. **(Currently Amended)** The toolbox container according to claim 3, further comprising a handle locating assembly that locates the handle at discrete intervals in each of the first locked position, the intermediate unlocked position, and the second locked position.

6. **(Currently Amended)** The toolbox container according to claim 5, wherein the handle locating assembly includes a locating pin that is movable along with the handle, the locating pin engagable within (1) a first locating notch provided in one of the cover and the base to locate the handle in the first locked position, (2) a second locating notch provided in one of the cover and the base to locate the handle in the intermediate unlocked position, and (3) a third locating notch provided in one of the cover and the base to locate the handle in the second locked position.

7. **(Currently Amended)** The toolbox container according to claim 6, wherein the cover and base provide guide surfaces that guide the locating pin between the first, second, and third locating notches.

8. **(Currently Amended)** The toolbox container according to claim 7, wherein the guide surfaces of the cover and base cooperate to define a generally circular guide surface when the cover is in the closed position.

9. **(Currently Amended)** The toolbox container according to claim 7, wherein the first, second, and third locating notches are provided in the guide surfaces of the cover and the base.

10. **(Currently Amended)** The toolbox container according to claim 7, wherein the locating pin is biased into engagement with the guide surfaces of the cover and the base.

11. **(Currently Amended)** The toolbox container according to claim 8, further comprising a biasing structure including a spring that biases the locating pin into engagement with the guide surfaces.

12. **(Previously Presented)** A container comprising:

a base having a bottom wall and side walls defining an interior storage compartment, at least one of the side walls having a locking element;

a single cover pivotally mounted to one of said side walls for pivotal movement as a whole between an open position in which access to the interior storage compartment is permitted and a closed position in which said single cover covers the interior storage compartment such that access to the interior storage compartment is prevented; and

a handle including a handle portion and a cover locking mechanism, the handle being movably mounted to the cover so that the handle is movable to move the cover locking mechanism thereof into interlocking engagement with the locking element to lock the cover in the closed position,

wherein the handle portion is constructed of metal and the cover locking mechanism is constructed of plastic.

13. **(Cancelled)**

14. **(Cancelled)**

15. **(Previously Presented)** A container comprising:

a base having a bottom wall and side walls defining an interior storage compartment, at least one of the side walls having a locking element;

a single cover movably mounted to the base for movement as a whole between an open position in which access to the interior storage compartment is permitted and a closed position in which access to the interior storage compartment is prevented;

a handle including a handle portion and a cover locking mechanism, the handle being pivotally mounted to the cover for movement between an unlocked position in which the cover locking mechanism thereof is disengaged from the locking element to allow movement of the cover between the open and closed positions thereof, and at least one locked position in which the cover locking mechanism interlocks with the locking element to lock the cover in the closed position; and

a handle locating assembly including a locating pin that locates the handle at discrete intervals in each of the unlocked position and the at least one locked position, the locating pin being biased into engagement with guide surfaces provided on the cover and the base that guide the locating pin between the unlocked position and the at least one locked position.

16. **(Original)** The container according to claim 15, wherein the handle is pivotally mounted to the cover for movement between (1) a first locked position in which the handle portion is in a upright position for carrying by a user, and the cover locking mechanism interlocks with the locking element on the base to lock the cover in the closed position, (2) an intermediate unlocked position in which the handle portion is in a

position that permits opening and closing of the cover, and the cover locking mechanism is disengaged from the locking element on the base to allow movement of the cover between the open and closed positions thereof, and (3) a second locked position in which the handle portion is in a downward inclined position for storage purposes, and the cover locking mechanism interlocks with the locking element on the base to lock the cover in the closed position.

17. **(Original)** The container according to claim 16, wherein the cover locking mechanism includes first and second locking arms that define respective first and second recesses, the locking element being received within one of the first and second recesses when the handle is in the first locked position and the locking element being received within the other of the first and second recesses when the handle is in the second locked position, and wherein the locking element being positioned between the first and second locking arms disengaged from the first and second recesses when the handle is in the intermediate unlocked position.

18. **(Original)** The container according to claim 16, wherein the locating pin is engagable within (1) a first locating notch provided in the guide surfaces to locate the handle in the first locked position, (2) a second locating notch provided in the guide surfaces to locate the handle in the intermediate unlocked position, and (3) a third locating notch provided in the guide surfaces to locate the handle in the second locked position.

19. **(Original)** The container according to claim 15, wherein the guide surfaces of the cover and base cooperate to define a generally circular guide surface when the cover is in the closed position.

20. **(Original)** The container according to claim 15, wherein the handle portion is constructed of metal and the cover locking mechanism is constructed of plastic.

21. **(Original)** The container according to claim 15, wherein the handle includes a pair of cover locking mechanisms, one of the pair of cover locking mechanisms mounted to one end of the handle portion and the other of the pair of cover locking mechanisms mounted to an opposite end of the handle portion.

22. **(Original)** The container according to claim 21, wherein each of the pair of cover locking mechanisms has generally L-shaped body.

23. **(Original)** The container according to claim 15, further comprising a biasing structure including a spring that biases the locating pin into engagement with the guide surfaces.

24 - 28. **(Cancelled)**

29. **(Previously Presented)** A container comprising;

a base having a bottom wall and side walls defining an interior storage compartment;

a cover pivotally mounted to the base for pivotal movement between an open position in which access to the interior storage compartment is permitted and a closed position in which access to the interior storage compartment is prevented,

said cover and said base cooperating to form an exterior surface of said container when the cover is in the closed position, said exterior surface having a pair of lock elements formed thereon on opposite sides of said container;

a handle including a pair of lock portions, said handle being movable between a first position in which said lock portions engage said lock elements to lock said cover in said closed position, and a second position in which said lock portions disengage said lock elements to unlock said cover,

said lock portions being disposed exteriorly to said interior storage compartment when said handle is in said first position,

wherein when the handle is in the first position, the lock portions engage the lock elements in an interlocking relationship that inhibits pivotal movement towards the second position, and prevents pivotal movement towards a direction opposite said second position.